



UrbanPromise

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Letter of Appeal

FCC, Office of the Secretary
445 12th Street SW
Washington, DC 20554
CC: NetCarrier

July 7, 2015

To Whom it May Concern,

Please accept this letter of appeal (CC Docket No. 02-6).

1. Person who can most readily discuss this appeal:

Name: Lindsey Markelz, Grants Coordinator

Phone Number: 484-744-4886

Fax Number: (c/o Mary Johnson) 856-661-1954

E-mail: markelz@UrbanPromiseUSA.org

Mailing Address: c/o Mary Johnson, P.O. Box 1479, Camden, NJ 08105

2. Identify the USAC decision letter and the decision we are appealing:

Appellant/Applicant Name: UrbanPromise Academy

Service Provider Name: NetCarrier Telecom, Inc.

Applicant BEN and SPIN: BEN-16072119 and SPIN-143015314

FCC Form 486 Number 1061850

FCC Form 471 Number 981522

FRN 2681369

USAC Correspondence Dated July 01, 2015 - Administrator's Decision on Appeal

Text we are appealing: "USAC mailed an 'Urgent Reminder' letter providing Urban Promise Academy with additional time and a new deadline to submit and/or certify their FCC Form 486. FCC Form 486 Application Number 1061850 was postmarked on 04/15/2015 which is after the new deadline."

3. Appeal Narrative:

We did not receive the RFCDL dated October 30, 2014 and therefore appealed to USAC. They denied the appeal (enclosed) and referenced an "Urgent Reminder" dated 03/09/2015, which we also did not receive. It was only after I called e-rate on 04/14/2015 to ask about the status and next steps that I learned about the original RFCDL letter and an electronic copy was sent to me. She did not mention the Urgent Reminder or related deadline. (Case #22-751916, email attached). As a result, we were unable to reply within the 120-day 486 deadline or the 20-day extended deadline. Per her instructions, I immediately filed the 486, also on 04/14/15. The purpose of this appeal is to ask that the service start date be changed back to July 1, 2014.

4. A copy of this appeal letter was sent to the service provider.

5. Authorized Signature:

Thank you for your consideration of this appeal,

Lindsey Markelz
Grant Coordinator



FW: case 22-751916

Charlie Koerwer

Tue 4/14/2015 11:54 AM

Inbox

To: Lindsey Markelz <markelz@urbanpromiseusa.org>;

 1 attachment (42 KB)

[http__38.111.140.204_webdav_extractReport.asp_url=http__cobra_8080_a1_AptertureONE Reports_Revised FCDL_2014 Applicant RFCDL_ben_16072119_2014 Applicant RFCDL 01-26-2015 18-13-35-248\[496\].pdf](http://38.111.140.204_webdav_extractReport.asp_url=http__cobra_8080_a1_AptertureONE_Reports_Revised_FCDL_2014_Applicant_RFCDL_ben_16072119_2014_Applicant_RFCDL_01-26-2015_18-13-35-248[496].pdf);

Charlie Koerwer

Operations Manager

UrbanPromise

(856) 382 1853 office

(856) 661.1954 (fax)

ckoerwer@urbanpromiseusa.org

From: SLD Problem Resolution Mailbox [mailto:SLDPR@GDIT.com]

Sent: Tuesday, April 14, 2015 11:35 AM

To: Charlie Koerwer

Subject: case 22-751916

Charles,

Here is the revised funding commitment letter that Lindsey requested for 471-981522.

Thank you,

Cathy Carley

Client Service Bureau

Schools and Libraries Division

Helpline: 888-203-8100

Fax: 888-276-8736

E-mail: SLDPR@GDIT.com



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2014-2015

July 01, 2015

Lindsey Markelz
Urban Promise Academy
c/o Mary Johnson
P.O. Box 1479
Camden, NJ 08105

Re: Applicant Name: URBAN PROMISE ACADEMY
Billed Entity Number: 16072119
Form 471 Application Number: 981522
Form 486 Application Number: 1061850
Funding Request Number(s): 2681369
Your Correspondence Dated: May 21, 2015

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2014 FCC Form 486 Notification Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2681369
Decision on Appeal: **Denied**
Explanation:

- USAC has determined that your FCC Form 486 was not filed within 120 days calculated from 10/30/2014, the date of the Revised Funding Commitment or July 01, 2014, the Service Start Date (SSD) indicated on the FCC Form 486, whichever date is later. On 03/9/2015, USAC mailed an "Urgent Reminder" letter providing Urban Promise Academy with additional time and a new deadline to submit and/or certify their FCC Form 486. FCC Form 486 Application Number 1061850 was postmarked on 04/15/2015, which is after the new deadline. Consequently, the SSD was revised to 12/16/2014, 120 days before the FCC Form 486 Certification postmark date. If the funding commitment includes recurring charges then the funding commitments have been reduced accordingly. It is the

responsibility of the applicant to ensure that all forms are submitted to USAC in a correct and timely manner. Consequently, your appeal is denied.

- FCC rules require applicants to use recurring services within the relevant funding year and to implement non-recurring services by the applicable deadline established by the Commission. *See* 47 C.F.R. sec. 54.507(d). The FCC Form 486 informs USAC when the applicant is scheduled to receive or has received services in the relevant funding year from the named service provider. The receipt of a properly completed FCC Form 486 triggers the process for USAC to receive invoices. In order for an applicant to receive discounts retroactively to the SSD, the FCC Form 486 should be postmarked no later than 120 days after the SSD featured on the FCC Form 486 or no later than 120 days after the date of the FCDL, whichever is later. When an applicant has missed a deadline to file its FCC Form 486, it is given an additional 20 calendar days from the date of receipt of USAC's written notice to file or amend its FCC Form 486 and receive services retroactively to the SSD. *See* Requests for Review and Waiver of the Decision of the Universal Service Administrator by Alaska Gateway School District, Tok, Alaska, et al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-412028, et al., CC Docket No. 02-6, 21 FCC Red 10186-10187, DA 06-1871, para. 8 (rel. Sep. 14, 2006).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company